

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>IN RE:</b>	) <b>Case No.</b> 18-20971-CMB
Linda C. Parker,	) <b>Chapter</b> 11
<b>Debtor,</b>	)
PNC Bank National Association,	) <b>Related Document No.</b> 206-205
<b>Movant,</b>	) <b>Hearing Date:</b> 09/10/2020 at 2:30 P.M.
<b>vs.</b>	) <b>Response Due:</b> 08/31/2020
Linda C. Parker,	)
<b>Respondent.</b>	) <b>Document No.</b>

**RESPONSE TO MOTION FOR RELIEF FROM STAY**

**AND NOW**, comes the Debtor, Linda C. Parker, by and through her attorneys, Donald R. Calaiaro and Calaiaro Valencik, and in response to the Movant's motion for relief from stay avers as follows:

1. Admitted.
2. Admitted. By way of further response this is the Debtor's residence and it is essential for the reorganization of this Debtor.
3. Admitted. The documents attached as exhibit are the mortgage; the note and a loan modification agreement.
4. Denied as stated. The Debtor believes this is a temporary problem caused by the coronavirus epidemic. The Debtor will be able to cure any arrears of payments for June, July, August, and September by the end of September 2020. This action should be stayed under the current suspension of foreclosures.
5. Admitted.
6. Denied as stated. By way of further response, the Movant has provided no accounting as to how this figure was calculated and the same is denied with proof.

7. Denied as stated. The Debtor has or will tender the regular monthly payments prior to the hearing scheduled in this matter.

8. Denied as stated.

9. Admitted.

10. Admitted.

11. Admitted.

12. Admitted. The Debtor believes that this motion is stayed by the current moratorium of residential foreclosures.

13. Denied. As previously stated, this is Debtor's residence and it is essential to this reorganization.

14. This paragraph contains a conclusion of law to which the Debtor is not required to respond under the Federal Rules of Civil Procedure. However, if a response is deemed necessary then the same is denied for the reasons set forth in the prior paragraphs. By way of further response, the Debtor disputes that the Movant has complied with the terms of the confirmed plan and given the Debtor and her attorneys proper notice and an opportunity to cure before bringing this motion. This property is essential to the Debtor's reorganization and confirmed Plan. The Movant has been adequately protected and will be adequately protected by the payments by the Debtor to pay the June, July, August, and September payments by the end of September 2020.

15. This paragraph contains a conclusion of law to which the Debtor is not required to respond under the Federal Rules of Civil Procedure. However, if a response is deemed necessary then the same is denied for the reasons set forth in the prior paragraphs. By way of further response, the Debtor disputes that the Movant has

complied with the terms of the confirmed plan and given the Debtor and her attorneys proper notice and an opportunity to cure before bringing this motion.

**WHEREFORE**, the Debtor, requests this Court deny movants requests as well as any other relief the Court deems appropriate and grant her time to pay the June, July, August, and September payments by the end of September 2020.

**Respectfully submitted,**

**Dated:** August 24, 2020

BY: /s/ Donald R. Calaiaro  
**Donald R. Calaiaro, Esquire**  
**PA I.D. #327538**  
**CALAIARO VALENCIK**  
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**CERTIFICATE OF SERVICE OF Response to Motion for  
Relief from the Automatic Stay**

I certify under penalty of perjury that I served the above captioned pleading on the parties at the addresses specified below or on the attached list on August 24, 2020.

**Service by First-Class Mail:**

Linda C. Parker, 626 James Place, Belle Vernon, PA 15102

**Service by NEF:**

James Warmbrodt on behalf of Creditor PNC BANK NATIONAL ASSOCIATION

[bkgroup@kmlawgroup.com](mailto:bkgroup@kmlawgroup.com)

Larry E. Wahlquist on behalf of U.S. Trustee Office of the United States Trustee

[larry.e.wahlquist@usdoj.gov](mailto:larry.e.wahlquist@usdoj.gov)

The type(s) of service made on the parties (first-class mail, electronic notification, hand delivery, or another type of service) was: First-Class Mail or Electronic Notification

If more than one method of service was employed, this certificate of service groups the parties by the type of service. For example, the names and addresses of parties served by electronic notice will be listed under the heading "Service by Electronic Notification," and those served by mail will be listed under the heading "Service by First-Class Mail."

**Executed on:** August 24, 2020

/s/ Donald R. Calaiaro  
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